

have carefully examined and compared

Senate bill No. 240, a bill to be entitled "An act to amend an act entitled an act to provide for the collection of taxes heretofore and that may hereafter be levied, making such taxes a lien on the lands taxed, establishing and continuing such lien, providing for the sale and conveyance of lands delinquent for taxes since January 1, 1885, which may have been returned delinquent or reported sold to the State or to any county, city or town to satisfy the lien thereon; as enacted by the regular session of the Twenty-fourth Legislature, being chapter 5a, of title CIV, of the Revised Civil Statutes of 1895, relating to delinquent taxes, and to repeal all laws in conflict with this act,"

And find the same correctly enrolled, and have this day at 5:15 p. m. presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,

Austin, Texas, April 14, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Enrolled Bills have carefully examined and compared

Senate concurrent resolution No. 20, relating to deep water, good harbors, and an open sea, etc.

And find the same correctly enrolled, and have this day at 5:15 p. m. presented the same to the Governor for his approval.

ROGERS, Chairman.

Committee Room,

Austin, Texas, April 14, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 42, a bill to be entitled "An act to amend chapter 3, title 40, of the Revised Civil Statutes of the State of Texas, by adding thereto article 2293a, relating to the deposition of parties."

And find the same correctly enrolled, and have this day at 5:15 p. m. presented the same to the Governor for his approval.

ROGERS, Chairman.

On motion of Senator Colquitt, the Senate adjourned to 10 a. m. to-morrow.

SEVENTY-SECOND DAY.

Senate Chamber,

Austin, Tex., Thursday, April 15.

Senate met pursuant to adjournment.

Lieutenant-Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Morriss.
Bailey.	Neal.
Beall.	Presler.
Bowser.	Rogers.
Burns.	Ross.
Colquitt.	Stafford.
Darwin.	Stone.
Goss.	Terrell.
Gough.	Timett.
Harrison.	Turney.
Kerr.	Wayland.
Lewis.	Woods.
Linn of Victoria.	Yett.

Absent.

Dibrell.	Linn of Wharton.
Greer.	

Excused.

Boren.	Yantis.
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Prayer by the Chaplain, Rev. F. S. Jackson, as follows:

Almighty God: We acknowledge Thy loving providence in the preservation of our unprofitable lives to see this auspicious hour. We thank Thee for the innumerable blessings Thou hast lavished upon us. Help us to dedicate ourselves to Thee with all our ransomed powers, that our life service, both public and private, may honor Thy name and bless humanity. Grant to this Senate, to-day, righteous judgment and firm decision, and may their deliberations and actions be without mistakes. Forgive our sins, regenerate our souls and direct our footsteps, we ask for Christ's sake. Amen.

Pending the reading of the Journal of yesterday,

On motion of Senator Wayland, the same was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Harrison:

Petition from school board of Temple, Texas, asking support for substitute House bill Nos. 247, 350 and 354, granting the defrayance of incidental school expenses out of school fund.

Read and referred to the Committee on Education.

BILLS AND RESOLUTIONS.

By Senator Woods:

Senate bill No. 364, a bill to be entitled "An act to regulate the sale of firearms; to prohibit their sale to minors, and to provide a punishment for the violation thereof."

Read first time and referred to Judiciary Committee No. 2.

Call concluded.

PENDING BUSINESS.

The Chair laid before the Senate on second reading,

House bill No. 518, a bill to be entitled "An act to amend articles 5243i, 5243j and 5243k, of chapter 9, title 104, of the Revised Civil Statutes, relating to the taxation of insurance, telephone, sleeping and dining car and other corporations, and to provide for forfeiting the charters of domestic corporations and permits of foreign corporations to do business in this State for failure to pay the franchise tax levied by this act, and to define and prescribe the notice to be given to said corporations previous to such forfeiture."

Action being on the following amendment, offered by Senator Atlee on yesterday, to-wit:

On page 2, insert in line 13, after the word "thereafter," the following: "Provided, the franchise tax required under the provisions of this act shall not be demanded of any domestic corporation doing business in this State, which is required by law to pay an occupation tax."

Lost.

Senator Woods moved to reconsider the vote by which the following amendment, offered by Senator Lewis on yesterday, was adopted, to-wit:

Amend page 2, line 3, by adding after the word "thereafter," the following: "Provided, that any such corporation having a paid up capital stock of over \$50,000 and less than \$100,000 shall pay the annual franchise tax of \$20, and having a paid up capital stock of over \$100,000 and less than \$200,000 shall pay an annual franchise tax of \$30, and having a paid up capital stock of over \$200,000 shall pay an annual franchise tax of \$50."

Reconsidered by the following vote:

Yeas—16.

Atlee.	Goss.
Bailey.	Gough.
Bowser.	Harrison.
Burns.	Kerr.
Darwin.	Linn of Victoria.

Linn of Wharton.	Wayland.
Stone.	Woods.
Terrell.	Yett.

Nays—11.

Beall.	Rogers.
Colquitt.	Ross.
Dibrell.	Stafford.
Lewis.	Tillett.
Morriss.	Turney.
Neal.	

Absent.

Greer.	Presler.
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Excused.

Boren.	Yantis.
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(President pro tem. Dibrell in the chair.)

Pending action,

Senator Bowser moved to reconsider the vote by which the amendment to the amendment (Lewis'), offered by Senator Burns, was adopted on yesterday, to-wit:

Amend the amendment (Lewis') by inserting before the words "capital stock," wherever they occur in pending amendment, the words "paid up."

Reconsidered.

The amendment to the amendment was then lost.

The amendment (Lewis') was then adopted by the following vote:

Yeas—15.

Atlee.	Morriss.
Beall.	Neal.
Burns.	Ross.
Dibrell.	Stone.
Goss.	Tillett.
Kerr.	Turney.
Lewis.	Yett.

Linn of Victoria.

Nays—11.

Bailey.	Rogers.
Darwin.	Stafford.
Gough.	Terrell.
Harrison.	Wayland.
Linn of Wharton.	Woods.
Presler.	

Yeas.	Paired.	Nays.
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Colquitt.	Bowser.
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Absent.

Greer.

Excused.

Boren.	Yantis.
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By Senator Atlee:

Amend on page 1: Insert in line 26, after the word "every" the following, "foreign corporation doing business in this State and every."

Adopted.

By Senator Atlee:

Amend as follows: Strike out all of

printed bill beginning in line 3, page 2, "and each and every," etc., down to and including "thereafter," in lines 12 and 13.

Lost by the following vote:

Yeas—12.

Atlee.	Neal.
Burns.	Presler.
Dibrell.	Ross.
Kerr.	Stafford.
Lewis.	Tillett.
Morriss.	Turney.

Nays—13.

Bailey.	Linn of Wharton.
Beall.	Rogers.
Bowser.	Terrell.
Colquitt.	Wayland.
Darwin.	Woods.
Gough.	Yett.
Harrison.	

Absent.

Goss.	Linn of Victoria.
Greer.	Stone.

Excused.

Boren.	Yantis.
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Senator Yett moved to reconsider the vote by which Senator Beall's amendment, offered on yesterday, was adopted, to-wit:

Amend by striking out in line 6, on page 2, the words "of \$50," and insert in lieu thereof the following: "As follows: Each and every foreign corporation having a paid up capital stock of \$25,000 or less, an annual franchise tax of \$25; each and every foreign corporation having a paid up capital stock of more than \$25,000 and not exceeding \$100,000, an annual franchise tax of \$100."

Reconsidered.

Pending action on the amendment.

Senator Yett offered the following:

Amend the amendment by striking out the words "paid up" wherever they occur.

Adopted.

The amendment (Beall's) as amended was then adopted.

Senator Turney moved to reconsider the vote by which the amendment, offered by Senator Atlee, was adopted, to-wit:

Amend on page 1: Insert in line 26, after the word "every" the following, "foreign corporation doing business in this State and every."

Reconsidered.

The amendment was then lost by the following vote:

Yeas—6.

Atlee.	Gough.
Burns.	Ross.
Dibrell.	Tillett.

Nays—22.

Bailey.	Linn of Wharton.
Beall.	Morriss.
Boren.	Neal.
Bowser.	Presler.
Colquitt.	Rogers.
Darwin.	Stone.
Goss.	Terrell.
Harrison.	Turney.
Kerr.	Wayland.
Lewis.	Woods.
Linn of Victoria.	Yett.

Absent.

Greer.	Stafford.
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Excused.

Yantis.

By Senator Turney:

Amend by inserting after section 1 the following: "Every person, firm, corporation or association owning, controlling, managing or operating any dining or sleeping cars within this State for the use of the public, and for which use any fare is charged, shall pay a tax of 10 cents for every 100 miles over which each of said cars may be operated on any line of railroad wholly or in part within this State. Said tax herein provided shall be paid to the State Treasurer, quarterly, for the use of the State, and every such company, association, person or corporation so owning, controlling or managing any such dining or sleeping car, shall quarterly report to the Comptroller of the State of Texas the number of miles each and every such car has been transported over any line of railway situated wholly or in part within this State during the preceding quarter, and it is hereby made the duty of every conductor, agent or employe controlling, operating any such dining or sleeping car herein mentioned to make report and to see that same is done at the end of each quarter as herein provided. Should any person, association of persons or corporation, or employes or agents of any such person, association or corporation herein named fail to make the report provided in section 2 of this act for 30 days after the termination of any quarter of the year, then he shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than \$50 nor more than \$100, and each day after said 30 days has expired shall be deemed a separate offense. It is not intended by this act to repeal any law now in force in this State taxing sleeping and dining car companies, associations or persons owning same."

Adopted.

By Senator Turney:

Amend caption by adding thereto the following: "And to provide adequate penalties for the violation of this act."

Adopted.

(Senator Burns in the chair.)

By Senator Colquitt:

"Art. 5243e. Every life, fire, marine, accident or other insurance company at the time of its filing its annual statement, shall report to the Commissioner of Insurance the gross amount of premiums received in this State during the preceding year, and each life insurance company and life and accident insurance company shall pay an annual tax of 2 per cent on such gross premium receipts; and each fire, marine, health, live stock, guarantee or accident insurance company shall pay an annual tax of 1 per cent on such premium receipts; and the gross premium receipts are understood to be the premium receipts reported to the Commissioner of Insurance by the insurance companies on sworn statements. Upon receipt by him of sworn statements showing the gross premium receipts by such companies, the Commissioner shall certify to the State Treasurer the amount of tax due by each company, which tax shall be paid to the State Treasurer for the use of the State on or before the first day of March following, whose receipt shall be evidence of payment of such taxes, and no insurance company shall receive a permit to do business in this State until such taxes are paid; provided, that no occupation tax shall be levied on any insurance company of any county, city or town, but this article shall not be construed to prohibit the levy of such county, State or municipal taxes upon the real and personal property of such companies.

Pending action,

The following committee reports were made:

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, April 15, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 364, a bill to be entitled "An act to regulate the sale of firearms; to prohibit their sale to mi-

nors, and to provide a punishment for a violation hereof,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

STAFFORD, Chairman.

Committee Room,

Austin, Texas, April 15, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Stock and Stock-raising, to whom was referred

House bill No. 463, a bill to be entitled "An act to amend article 802, of chapter 3, of title 17, of the Penal Code of the State of Texas, relating to herding stock on the land of another,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

TURNEY, Chairman.

Committee Room,

Austin, Texas, April 15, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Finance, to whom was referred

Senate bill No. 350, a bill to be entitled "An act to make an appropriation to defray the expense of publishing the Governor's proclamation submitting the constitutional amendments proposed by the present session of the Twenty-fifth Legislature to a vote of the qualified voters of Texas."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

STONE, Chairman.

Committee Room,

Austin, Texas, April 15, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Committee on Finance, to whom was referred

Senate bill No. 360, a bill to be entitled an act to amend article 170, title 9, chapter 2, of the Revised Civil Statutes of 1895, relating to the compensation of Superintendent of the State Orphan Asylum."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

STONE, Chairman.

HOUSE MESSAGE.

The following House message was received:

Hall House of Representatives,
Austin, Texas, April 15, 1897.

Hon. George T. Jester, President of
the Senate.

I am directed by the House to in-
form the Senate of the passage of the
following bills:

Senate bill No. 87, entitled "An
act to amend an act of the
regular session of the Twenty-third
Legislature, entitled an act to provide
for the protection of domestic animals,
for the creation of a live stock sani-
tary commission, rules and regula-
tions, to provide penalties for violat-
ing the same, and to make an appro-
priation to carry out the provisions of
this act, approved April 20, A. D.
1893."

With amendments.

Senate bill No. 33, entitled "An
act to protect accountants, book-
keepers, artisans, craftsmen, fac-
tory operatives, mill operatives, serv-
ants, mechanics, quarrymen and com-
mon laborers; to provide a lien and to
prescribe the time of payment, and in
lawful money of the United States;
providing for attorneys' fees in fore-
closing such liens, and prescribing the
rights of the assignees of such per-
sons, and to repeal all laws in conflict
with this act."

With amendments.

Senate concurrent resolution No. 22,
granting to the Eighth Texas Cavalry
Association, known as "Terry's Rang-
ers," permission to erect in the Cap-
itol grounds a monument to their
heroic dead.

Senate concurrent resolution No. 16,
a resolution requesting the Texas de-
legation in Congress to secure the pass-
age of an act indemnifying certain
citizens of Washington county.

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

On motion of Senator Linn of Whar-
ton, the Senate adjourned to 3 p. m.
to-day.

AFTERNOON SESSION.

The Senate met pursuant to adjourn-
ment.

Lieutenant Governor Jester in the
chair.

Roll called. Quorum present, the fol-
lowing Senators answering to their
names:

Atlee.	Bowser.
Bailey.	Burns.
Beall.	Colquitt.
Boren.	Darwin.

Gough.	Presler.
Greer.	Rogers.
Harrison.	Stafford.
Kerr.	Terrell.
Lewis.	Tillett.
Linn of Victoria.	Turney.
Linn of Wharton.	Wayland.
Morriss.	Woods.

Absent.

Dibrell.	Ross.
Goss.	Stone.
Neal.	Yett.

Excused.

Yantis.

PENDING BUSINESS.

The Chair laid before the Senate, on
second reading,

House bill No. 518, a bill to be enti-
tled "An act to amend articles 5243i,
5243j and 5243k, of chapter 9, title 104,
of the Revised Civil Statutes, relating
to the taxation of insurance, telephone,
sleeping and dining car and other cor-
porations, and to provide for forfeiting
the charters of domestic corporations
and permits of foreign corporations to
do business in this State for failure to
pay the franchise tax levied by this
act, and to define and prescribe the no-
tice to be given to said corporations
previous to such forfeiture."

Action being on Senator Colquitt's
amendment, offered this morning, to-
wit:

"Art. 5243e. Every life, fire, marine,
accident or other insurance company,
at the time of its filing its annual
statement, shall report to the Com-
missioner of Insurance the gross
amount of premiums received in this
State during the preceding year, and
each life insurance company and life
and accident insurance company shall
pay an annual tax of 2 per cent on
such gross premium receipts; and each
fire, marine, health, live stock, guaran-
tee or accident insurance company
shall pay an annual tax of 1 per cent
on such premium receipts; and the
gross premium receipts are under-
stood to be the premium receipts re-
ported to the Commissioner of Insur-
ance by the insurance companies on
sworn statements. Upon receipt by
him of sworn statements showing the
gross premiums receipts by such com-
panies, the Commissioner shall certify
to the State Treasurer the amount of
tax due by each company, which tax
shall be paid to the State Treasurer
for the use of the State on or before
the first day of March following,
whose receipt shall be evidence of
payment of such taxes, and no insur-

ance company shall receive a permit to do business in this State until such taxes are paid; provided, that no occupation tax shall be levied on any insurance company of any county, city or town, but this article shall not be construed to prohibit the levy of such county, State and municipal taxes upon the real and personal property of such companies."

Pending action,

Senator Lewis moved that the bill, as amended, be printed, and that further consideration of same be postponed till Monday, April 19.

Lost by the following vote:

Yeas—6.

Atlee.	Lewis.
Bailey.	Linn of Victoria.
Burns.	Linn of Wharton.

Nays—18.

Beall.	Kerr.
Boren.	Morriss.
Bowser.	Presler.
Colquitt.	Rogers.
Darwin.	Terrell.
Goss.	Tillett.
Gough.	Turney.
Greer.	Wayland.
Harrison.	Woods.

Absent.

Dibrell.	Stafford.
Neal.	Stone.
Ross.	Yett.

Excused.

Yantis.

By Senator Burns:

Amend the amendment (Colquitt's) as follows: Amend by striking out "2 per cent" wherever it occurs and insert in lieu thereof "1½ per cent."

Lost by the following vote:

Yeas—6.

Bailey.	Lewis.
Burns.	Linn of Victoria.
Darwin.	Linn of Wharton.

Nays—18.

Atlee.	Kerr.
Beall.	Morriss.
Boren.	Presler.
Bowser.	Rogers.
Colquitt.	Ross.
Goss.	Terrell.
Gough.	Tillett.
Greer.	Turney.
Harrison.	Wayland.

Absent.

Dibrell.	Stone.
Neal.	Woods.
Stafford.	Yett.

36—Senate.

Excused

Yantis.

By Senator Gough:

Amend the amendment (Colquitt's) as follows: Strike out "2 per cent on life insurance companies" where it appears, and insert "3 per cent" in lieu thereof; and strike out "1 per cent" where it applies to fire insurance companies, and insert "one-half of 1 per cent" in lieu thereof.

Senator Beall called for a division of the question.

Granted.

First subdivision read, to-wit: "Strike out 2 per cent on life insurance companies where it appears and insert 3 per cent in lieu thereof."

Lost by the following vote:

Yeas—12.

Bowser.	Presler.
Colquitt.	Rogers.
Gough.	Terrell.
Kerr.	Tillett.
Linn of Wharton.	Wayland.
Morriss.	Woods.

Nays—13.

Atlee.	Greer.
Bailey.	Harrison.
Beall.	Lewis.
Boren.	Linn of Victoria.
Burns.	Ross.
Darwin.	Turney.
Goss.	

Absent.

Dibrell.	Stone.
Neal.	Yett.
Stafford.	

Excused.

Yantis.

Second subdivision read, to-wit: "Strike out 1 per cent where it applies to fire insurance companies, and insert one-half of 1 per cent in lieu thereof."

Adopted by the following vote:

Yeas—14.

Beall.	Lewis.
Boren.	Linn of Wharton.
Bowser.	Presler.
Burns.	Rogers.
Darwin.	Ross.
Gough.	Terrell.
Greer.	Turney.

Nays—9.

Atlee.	Morriss.
Bailey.	Tillett.
Colquitt.	Wayland.
Goss.	Woods.
Kerr.	

Absent.
 Dibrell. Stafford.
 Harrison. Stone.
 Linn of Victoria. Yett.
 Neal.

Excused.
 Yantis.

(Senator Turney in the chair.)

By Senator Lewis:

Amend by adding after the words "gross receipts" where they appear in the amendment (Colquitt's) applying to life insurance companies, the following, "less the death losses actually paid."

Lost by the following vote:

Yeas—3.
 Atlee. Lewis.
 Burns.

Nays—20.
 Beall. Morriss.
 Boren. Presler.
 Bowser. Rogers.
 Colquitt. Stafford.
 Darwin. Stone.
 Dibrell. Terrell.
 Goss. Tillett.
 Greer. Turney.
 Harrison. Wayland.
 Kerr. Woods.

Absent.
 Bailey. Neal.
 Gough. Ross.
 Linn of Victoria. Yett.
 Linn of Wharton.

Excused.
 Yantis.

By Senator Wayland:

Amend by striking out 2 per cent wherever it refers to life insurance companies, and insert 2½ per cent.

Lost by the following vote:

Yeas—8.
 Bowser. Terrell.
 Colquitt. Tillett.
 Harrison. Wayland.
 Stone. Woods.

Nays—16.
 Atlee. Greer.
 Bailey. Kerr.
 Beall. Lewis.
 Boren. Linn of Wharton.
 Burns. Morriss.
 Darwin. Presler.
 Dibrell. Stafford.
 Goss. Turney.

Absent.
 Gough. Ross.
 Linn of Victoria. Rogers.
 Neal. Yett.

Excused.
 Yantis.

We vote "nay" because it is, in our opinion, better to insist on 2 per cent where we have stood for three sessions and neither increase nor diminish the rate that we consider reasonable and fair.

**PRESLER,
 MORRIS.**

Senator Colquitt moved the previous question on the pending amendment, as amended, which was duly seconded, and ordered by the following vote:

Yeas—19.
 Beall. Morriss.
 Boren. Presler.
 Bowser. Stafford.
 Colquitt. Stone.
 Darwin. Terrell.
 Dibrell. Tillett.
 Greer. Turney.
 Harrison. Wayland.
 Kerr. Woods.
 Linn of Victoria.

Nays—5.
 Atlee. Goss.
 Bailey. Lewis.
 Burns.

Absent.
 Gough. Ross.
 Linn of Wharton. Rogers.
 Neal. Yett.

Excused.
 Yantis.

The amendment (Colquitt's) as amended was then

Adopted by the following vote:

Yeas—20.
 Beall. Linn of Victoria.
 Boren. Morriss.
 Bowser. Presler.
 Colquitt. Stafford.
 Darwin. Stone.
 Dibrell. Terrell.
 Goss. Tillett.
 Greer. Turney.
 Harrison. Wayland.
 Kerr. Woods.

Nays—3.
 Atlee. Lewis.
 Bailey.
 Yeas. Paired. Nays.
 Gough. Burns.

Absent.
 Linn of Wharton. Ross.
 Neal. Yett.
 Rogers.

Excused.
 Yantis.

By Senator Colquitt:

Amend by inserting in the caption after the word "article," in lines 15 and 23, page 1, the following: "5243e."
Adopted.

By Senator Burns:

Strike out in lines 8 and 9, page 3, the following: "A list of the charters forfeited for non-compliance with this chapter," and insert in lieu thereof the following: "A list of the corporations whose rights to do business in this State have been forfeited for non-compliance with this chapter."
Adopted.

By Senator Tillett:

Amend page 3 by adding between lines 24 and 25 the following:

"Article 5243l. Every corporation, foreign and domestic, organized for the purpose of lending money, or engaged in the business of lending money in this State, shall render to the Comptroller of Public Accounts through its president, secretary, treasurer or manager, or other chief officer or agent, a statement on oath showing the gross amount of loans made annually in each county in this State by said corporation, and such company shall pay an annual tax of one-fourth of one per cent on the gross amount of such loans. Upon receipt by the Comptroller of such sworn statement he shall certify to the State Treasurer the tax due by said company, which shall be paid in the same manner, and said company shall be subject to the same conditions, provisos, and restrictions as mentioned in article 5243e, foregoing, for other companies.

Lost by the following vote:

Yeas—4.

Bailey.	Stone.
Morriss.	Tillett.

Nays—20.

Atlee.	Kerr.
Beall.	Lewis.
Bowser.	Linn of Victoria.
Burns.	Linn of Wharton.
Colquitt.	Presler.
Darwin.	Ross.
Dibrell.	Stafford.
Goss.	Terrell.
Greer.	Turney.
Harrison.	Woods.

Absent.

Boren.	Rogers.
Gough.	Wayland.
Neal.	Yett.

Excused.

Yantis.

By Senator Burns:

Amend line 16, page 4, by striking out the following words, to-wit: "Now paying an annual income tax on their gross receipts in this State."

Senator Atlee made the point of order that the amendment was not in order, for the reason that it sought to amend that portion of the bill added by the committee amendment.

Not sustained.

The amendment was then lost by the following vote:

Yeas—8.

Atlee.	Linn of Wharton.
Bailey.	Morriss.
Burns.	Ross.
Linn of Victoria.	Woods.

Nays—15.

Beall.	Presler.
Bowser.	Stafford.
Colquitt.	Stone.
Darwin.	Terrell.
Dibrell.	Tillett.
Harrison.	Turney.
Kerr.	Wayland.
Lewis.	

Absent.

Boren.	Neal.
Goss.	Rogers.
Gough.	Yett.
Greer.	

Excused.

Yantis.

Bill as amended passed to third reading by the following vote:

Yeas—23.

Bailey.	Morriss.
Beall.	Presler.
Bowser.	Ross.
Colquitt.	Stafford.
Darwin.	Stone.
Dibrell.	Terrell.
Goss.	Tillett.
Greer.	Kerr.
Linn of Wharton.	Harrison.
Lewis.	Wayland.
Linn of Victoria.	Woods.
Turney.	

Nays—1.

Atlee.		
Yeas.	Paired.	Nays.
Gough.	Burns.	

Absent.

Boren.	Rogers.
Neal.	Yett.

Excused.

Yantis.

On motion of Senator Colquitt, the constitutional rule requiring bills to be read on three several days was sus-

pending, and the bill put upon its third reading and final passage by the following vote:

Yeas—21.

Beall.	Morriss.
Bowser.	Presler.
Burns.	Ross.
Colquitt.	Stafford.
Darwin.	Stone.
Dibrell.	Terrell.
Goss.	Tillett.
Greer.	Turney.
Harrison.	Wayland.
Kerr.	Woods.
Linn of Victoria.	

Nays—4.

Atlee.	Lewis.
Bailey.	Linn of Wharton.

Absent.

Boren.	Rogers.
Gough.	Yett.
Neal.	

Excused.

Yantis.

Bill read third time, and passed by the following vote:

Yeas—23.

Bailey.	Linn of Wharton.
Beall.	Morriss.
Bowser.	Presler.
Colquitt.	Ross.
Darwin.	Stafford.
Dibrell.	Stone.
Goss.	Terrell.
Greer.	Tillett.
Harrison.	Turney.
Kerr.	Wayland.
Lewis.	Woods.
Linn of Victoria.	

Nays—1.

Atlee.

Yeas.	Paired.	Nays.
Gough.	Burns.	

Absent.

Boren.	Rogers.
Neal.	Yett.

Excused.

Yantis.

I vote for the passage of this measure because of the necessity for additional revenue, and because there are many provisions and features of the bill which commend themselves to my judgment and my conscience, which, in my opinion, will go far towards equalizing the burdens of taxation for the support of the State government. In so far as the principle underlying the provision of the bill levying a tax upon the gross receipts of certain companies and corporations

is concerned, I am opposed thereto, believing that any such system of taxation must necessarily result not only in double taxation and injustice, but also in establishing a precedent in legislation which will hereafter return to trouble us. LINN of Wharton.

Senator Colquitt moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

(Lieutenant Governor Jester in the chair.)

Senator Colquitt entered a motion to reconsider the vote by which the free conference committee report on

House bill No. 413, a bill to be entitled "An act to amend article 3384, title LXIX, of the Revised Civil Statutes of the State of Texas, relating to local option,"

Was adopted, and had same spread on the Journal.

The Chair gave notice of signing, and did sign, after their captions had been read,

Senate concurrent resolution No. 16, requesting the Texas delegation in Congress to secure the passage of an act indemnifying certain citizens of Washington county, etc.

Senate concurrent resolution No. 22, a resolution granting to the Eighth Texas Cavalry Association, known as Terry's Texas Rangers, the right to place in the capitol grounds a monument to their heroic dead,

The Chair laid before the Senate, on third reading,

House bill No. 40, a bill to be entitled "An act to repeal article 1277, and to amend article 1278 of the Revised Statutes of the State of Texas, relating to continuances."

Bill read third time, and passed.

Senator Beall moved to adjourn to 10 a. m. to-morrow.

Lost.

The Chair laid before the Senate, on third reading,

House bill No. 77, a bill to be entitled "An act to amend article 2396 of the Revised Civil Statutes of Texas of 1895, by adding thereto the proviso that the proceeds of the voluntary sale of the homestead of a family shall not be subject to garnishment or forced sale twelve months after such sale."

Bill read third time, and passed.

COMMITTEE REPORTS.

The following committee reports were made:

Committee Room,

Austin, Texas, April 15, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 347, a bill to be entitled "An act to render more efficient and effective the present road law of the State of Texas in its application and operation in the counties of Galveston, Harris, Brazoria and Wharton, and to authorize and empower said counties to issue bonds for the construction and maintenance of public roads and highways within said respective counties,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Strike out in the caption the word "and" where it occurs after the word "Brazoria" and insert after the word "Wharton" in the caption the following, "Victoria and Calhoun." Strike out in section 1 the word "and" where it occurs after the word "Brazoria" and insert after the word "Wharton" in said section 1 the following, "Victoria and Calhoun counties." Strike out in section 6 the word "the" where it occurs after the words "and to fender" and insert in lieu thereof the word "it."

WAYLAND, Chairman.

Committee Room,

Austin, Texas, April 15, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Public Printing, to whom was referred

Senate bill No. 110, a bill to be entitled "An act to amend article 4221 (3992) and article 4227 (3999) of the Revised Statutes of the State of Texas."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the accompanying amendments, and as thus amended recommend that the bill do pass.

Amend by adding at the end of section 2, after the word "government," the following:

"Provided, that in case the Board of Public Printing is satisfied that there is any combination or trust formed by the printing companies of this State, or any of them, by means of which the cost of the State printing is materially increased beyond the

cost of such printing if done out of the State, then the said board shall contract with parties out of the State to do the public printing provided for in this act, except the current printing of the Legislature."

Amend by adding section 3, to read as follows:

"Sec. 3. The fact that there may be a large amount of public printing to be done for the State under the provisions of this act, and the further fact of the crowded condition of the calendars and the near approach of the adjournment of this session of the Legislature, creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house should be suspended, and an emergency exists that this act should take effect and be in force from and after its passage, and it is so enacted."

TILLET, Chairman.

On motion of Senator Wayland, the Senate adjourned to 10 a. m. to-morrow.

SEVENTY-THIRD DAY.

Senate Chamber,

Austin, Tex, Friday, April 16.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Atlee.	Linn of Victoria.
Beall.	Linn of Wharton.
Boren.	Morriss.
Bowser.	Presler.
Burns.	Rogers.
Colquitt.	Ross.
Darwin.	Stafford.
Dibrell.	Stone.
Goss.	Tillett.
Gough.	Turney.
Greer.	Wayland.
Harrison.	Woods.
Kerr.	Yett.
Lewis.	

Absent.

Bailey. Terrell.

Neal.

Excused.

Yantis.

Prayer by the Chaplain, Rev. F. S. Jackson, as follows:

Almighty God: Thou hast been our dwelling place in all generations: help